

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

June 27, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 08od-107

OAHU

Issuance of Right-of-Entry Permit to Department of Land and Natural Resources,
Engineering Division on Lands Encumbered by General Lease No. S-5851,
Kaaawa, Koolauloa, Oahu, Tax Map Key: (1) 5-1-014:047 portion.

APPLICANT:

Department of Land and Natural Resources, Engineering Division.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kaaawa, Koolauloa, Oahu, identified by Tax
Map Key: (1) 5-1-014:047 portion, as shown on the attached map labeled Exhibit A.

AREA:

9,500 square feet, more or less (Exhibit B).

ZONING:

State Land Use District: Urban
City & County of Honolulu LUO: R-5

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by General Lease No. S-5851, Windward Retreat Center, Lessee, for Retreat center for religious, social (community), and charitable eleemosynary purposes. Lease to expire on January 31, 2043.

CHARACTER OF USE:

Contractor staging area for equipment and materials purposes.

TERM OF RIGHT-OF-ENTRY:

Eight (8) months, commencing from date of Contractor's Notice to Proceed which is anticipated to be issued late summer 2008.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Government agency. Not applicable.

REMARKS:

Engineering Division of this department is working on a project to stabilize portions of the streambanks and remove the debris in the stream. To facilitate the project, a contractor staging area is proposed at the subject location, which is right across the project location. Construction is anticipated to start late summer 2008, and take approximately eight (8) months to complete. All applicable permits and approvals will be obtained before Engineering Division allows Contractor to begin work to utilize site as a temporary staging area.

The requested area is leased to Windward Retreat Center recently, and the tenant has indicated no objection to the subject request. Staff did not solicit comments from other governmental agencies.

Since this is a government project, staff recommends gratis for the subject request. There are no other pertinent issues or concerns, and staff has no objections to the request.

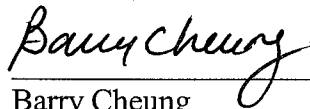
Staff also recommend the Chairperson be authorize to extend the term of the right-of-entry for good cause, for example weather.

RECOMMENDATION:

That the Board authorize the issuance of a right-of-entry permit to Department of Land and Natural Resources, Engineering Division covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:


1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize the Chairperson to issue future right-of-entries to the Applicant in relation to its request for contractor staging area for equipment and materials.


Respectfully Submitted,

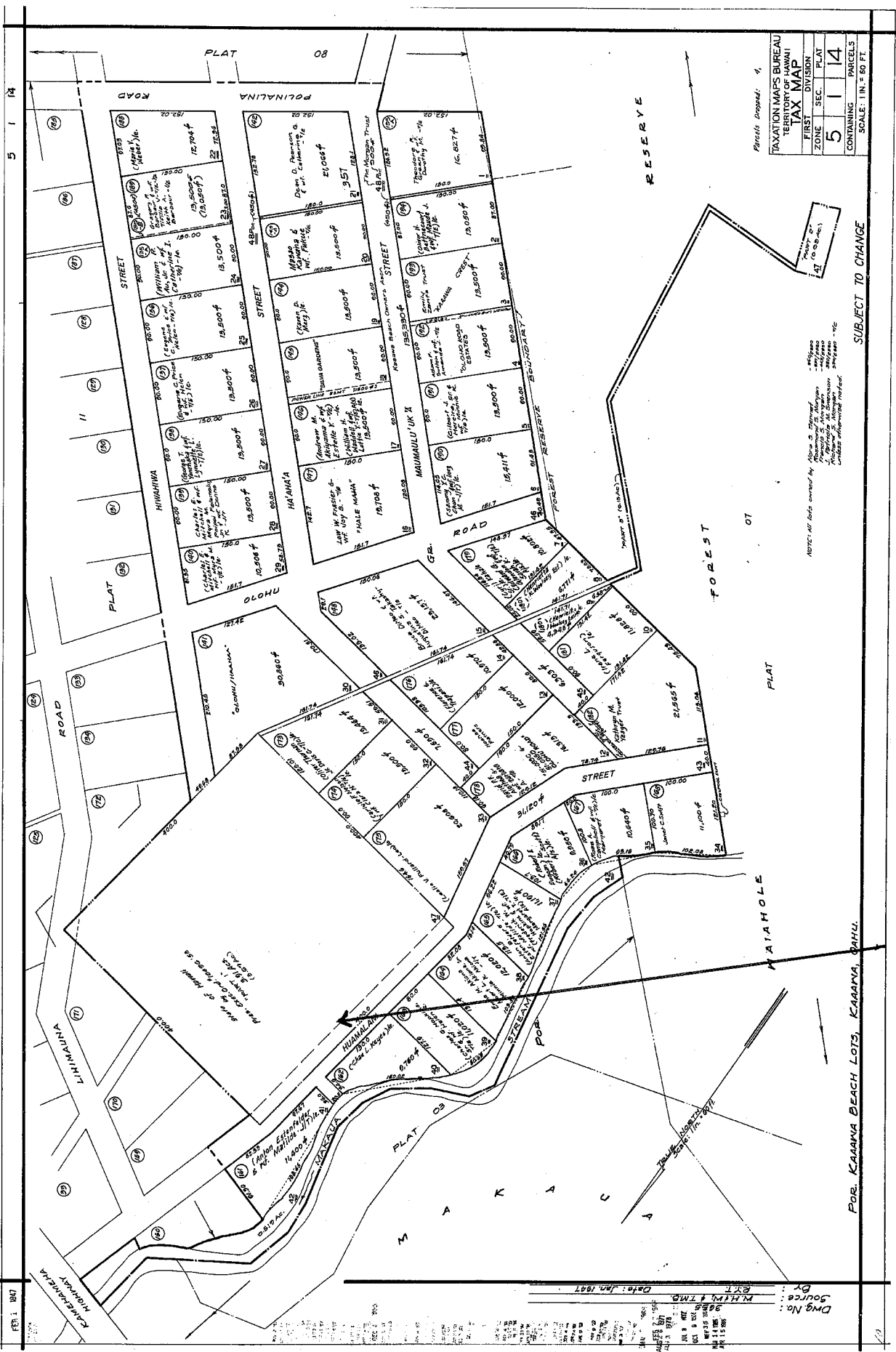


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson 



Subject Location

